

REMARKS

Reconsideration is requested with respect to the Section 112 rejection in view of the amendment of the claims. In the last response, it was pointed out that arguments were made in the previous rejection which appeared to be 112 objections but no 112 rejection was stated. Now, a 112 rejection is stated, essentially saying the same thing as was said previously. Thus, to the extent that the 112 objection is to be maintained, it would be plain that the finality of the present rejection is inappropriate. Since the same arguments were made previously but no rejection was applied, it is inappropriate to now finally assert the new rejection and to make it final. Therefore, if the 112 rejection were to be maintained, the finality of the rejection should be withdrawn.

It is pointed out that Oprescu et al. "do not teach performing the determination in the sink, as shown in claim 1." This is apparently a reference to the claim clause "using said power class identifier in said power sink to determine in said sink whether to receive power from a power source."

Now cited against that limitation is the newly cited reference to Saito. The office action contends that Saito teaches a portable computer having a battery voltage detecting circuit that determines whether to power loads in the computer based on whether or not there is sufficient power in the battery. It then contends inexplicably that "the computer is a sink and the battery detecting circuits are part of the computer."

Referring, for example, to Figure 1, this appears to be unsupportable. The load 17 "comprises a logic circuit, an FDD, a printer, and the like." See column 3, lines 3-5. Thus, the load is connected to everything to the left which includes, plainly, the battery and the battery detecting circuit. The power source includes the battery and the detecting circuits 13 and 14. Therefore, Saito suffers from the same deficiency that Oprescu suffers. Therefore, Saito adds nothing to the inherently misguided teaching of Oprescu. Saito only further serves to confirm and support the prior art approach and to further illuminate the patentability of the claimed invention.

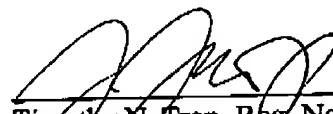
Therefore, reconsideration would be appropriate.

It is asserted that claim 21 is different because claim 21 calls for a system. However, claim 21 is clear that the system decides whether to receive power from a power source based on a signal received from the power source. Thus, the thing using the power must receive a signal

and, based on that signal, decide whether to receive power from the source. This does not happen in either cited reference. Both cited references decide whether to supply power based on the information in the power source itself. No reference teaches receiving a signal from a power source and, based on that signal, deciding whether to receive or accept power from the power source.

Therefore, the application should now be in condition for allowance.

Respectfully submitted,



Timothy N. Trop, Reg. No. 28,994
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Ste. 100
Houston, TX 77024
713/468-8880 [Phone]
713/468-8883 [Fax]

Attorneys for Intel Corporation

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